OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

SIXTH DAY’S PROCEEDINGS

Thirty-Eighth Regular Session of the Legislature
Under the Adoption of the Constitution of 1974

Senate Chamber
Baton Rouge, Louisiana

Wednesday, March 21, 2012

The Senate was called to order at 9:10 o’clock A.M. by Hon. John A. Alario, Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President  Dorsey-Colomb  Murray
Adley  Erdey  Nevers
Allain  Gallot  Peacock
Amedee  Guillory  Perry
Appel  Heitmeier  Peterson
Broome  Johns  Riser
Chabert  Kostelka  Smith, G.
Claitor  Long  Thompson
Cortez  Mills  Walsworth
Crowe  Morrell  Ward
Donahue  Morrish  White

Total - 33

ABSENT

Brown  LaFleur  Smith, J.
Buffington  Martiny  Tarver

Total - 6

The President of the Senate announced there were 33 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Scott Bledsoe, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Gallot, the reading of the Journal was dispensed with and the Journal of March 20, 2012, was adopted.

Message from the House

CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

March 20, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of John Clifton McDonald, MD, chancellor emeritus of the Louisiana State University Health Sciences Center at Shreveport and dean emeritus of the School of Medicine in Shreveport.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of William "Billy" Brown III.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Senate Bills
and Joint Resolutions

SENATE BILL NO. 623—
BY SENATOR LAFLEUR
AN ACT
To amend and reenact R.S. 46:1844(W)(2), relative to criminal procedure; to provide relative to the rights of juvenile victims of certain sex offenses; to provide that certain information relative to juvenile victims of misdemeanor sex offenses shall not be publicly disclosed; to provide for definitions; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

SENATE BILL NO. 624—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 11:1513, relative to the Clerks’ of Court Retirement and Relief Fund; to provide for reemployment of retirees; to provide for an effective date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 17—
BY SENATORS DORSEY-COLOMB AND WHITE
A RESOLUTION
To commend Seimone Augustus upon her receipt of the Most Valuable Player award presented by the Women's National Basketball Association (WNBA) for the 2011 season.

The resolution was read by title and placed on the Calendar for a second reading.

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATORS DORSEY-COLOMB AND WHITE
A CONCURRENT RESOLUTION
To commend Seimone Augustus upon her receipt of the Most Valuable Player award presented by the Women’s National Basketball Association (WNBA) for the 2011 season.

The resolution was read by title and placed on the Calendar for a second reading.
House Concurrent Resolutions

SENATE BILL NO. 621—
BY SENATOR MURRAY

AN ACT
To amend and reenact R.S. 13:2497 and 2500.2(A)(1), and to repeal R.S. 13:2500.3, to provide relative to courts and judicial procedures; to provide relative to the Municipal Court and Traffic Court of New Orleans; to provide relative to certain court fees and salaries; to remove reference to specific dollar amounts of salaries for certain deputy clerks of the Municipal Court of New Orleans; to provide for an increase in certain fees collected by the Municipal Court of New Orleans; to repeal authority of the Municipal Court and Traffic Court of New Orleans to collect bail bond fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

SENATE BILL NO. 622—
BY SENATOR AMEDEE

AN ACT
To amend and reenact R.S. 36:202(A) and 203, relative to the Department of Culture, Recreation and Tourism; authorizes the lieutenant governor to perform the duties, functions and responsibilities of the secretary of culture, recreation and tourism; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

House Concurrent Resolutions

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVES KLECKLEY, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARRY, BERTHELOT, BILLIOT, STUART, BISHOP, WESLEY, BISHOP, BROADWATER, BROSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAIGNE, CHANEY, CONNICK, COX, CROMER, DANABAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GYEMANN, GUYLORD, GUINN, HARRIS, HARRISON, HAYARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HULAY, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBS, LAGER, LEOPOLD, LIGI, LOPINTO, LORUSO, MACK, MILLER, MONTCouCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBBEN, SCHEXNAYDER, SCHRRODER, SEABAUGH, SHADY, SIMON, SMITH, ST. GERMAIN, TALBOUT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLIOTT

A CONCURRENT RESOLUTION
To recognize the bicentennial of Louisiana's statehood and to encourage participation in local and statewide bicentennial observances and activities.

The resolution was read by title and placed on the Calendar for a second reading.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY B

Senator Jean-Paul "JP" Morrell, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

March 20, 2012

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE BILL NO. 95—
BY SENATOR MORRELL

AN ACT
To amend and reenact the introductory paragraph of R.S. 37:1798(A)(1), relative to information furnished to police or sheriff; requires a pawnbroker to provide all transactional information obtained to the Department of Public Safety and Corrections, division of probation and parole; to provide relative to the means for providing transactional information; to provide for time delays for delivery of certain information; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 97—
BY SENATOR MORRELL AND REPRESENTATIVE ARNOLD

AN ACT
To enact Part IV of Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5631 through 5636 and R.S. 36:4(B)(1)(a); to create and provide relative to the board of directors, their qualifications and appointment; to provide for Senate confirmation; to provide for the necessary conditions required to receive an increase in compensation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 109—
BY SENATOR ARNOLD

AN ACT
To amended and reenact the introductory paragraph of R.S. 26:271(A), the introductory paragraph of R.S. 26:271(A), and the introductory paragraph of R.S. 26:903, relative to alcohol and tobacco permits; to establish permit fees not to exceed a maximum amount for a particular permit; to provide for rule making authority to set these fees; and to provide for related matters.

Reported favorably.
the suspension or revocation of permits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 117—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 26:90(A)(12) and 286(A)(12), and to enact R.S. 26:911(A)(5), relative to the office of alcohol and tobacco control; to prohibit the acceptance of nutritional assistance benefits for the purchase of alcohol or tobacco products; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 174—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:1337(C), 2151(E) and 2151.4(E), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 262—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 26:80(A), (F)(2), and (H) and 280(A), (F)(2), and (H), and to enact R.S. 26:80(I), (J), and (K), and 280(I), (J) and (K), relative to the office of alcohol and tobacco control, to provide relative to the qualifications of applicants for alcoholic beverage permits; to provide relative to the consideration of arrests, summons, charges, or indictments of applicants; to provide relative to the duty of licensees and permittees to provide certain information to the commissioner; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 366—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 26:78(A) and 278(A), relative to the contents of applications for alcoholic beverage permits; to provide for the form of sales tax clearance to be submitted with each original and renewal alcoholic beverage application; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JEAN-PAUL “JP” MORRELL
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 70—
BY SENATOR MURRAY
AN ACT
To amend and reenact Code of Civil Procedure Articles 3421 and 3431(A)(introductory paragraph), and to repeal Code of Civil Procedure Article 3422.1(G), relative to small successions; to provide relative to small succession procedures and effects; to provide certain definitions, conditions, terms, and requirements; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 75—
BY SENATOR KOSTELKA
AN ACT
To amend and reenact R.S. 14:403.3(D) and to enact R.S. 14:403.3(E), 403.7 and 403.8, relative to offenses affecting law enforcement; to increase the penalty for communicating false information to law enforcement regarding a missing child under certain circumstances; to create the crimes of failure to report a missing child and failure to report the death of a child; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 86—
BY SENATOR BUFFINGTON
AN ACT
To amend and reenact introductory paragraph of R.S. 40:4(A)(2), relative to the Sanitary Code; to provide with respect to the duties of a healthcare provider with regard to any general duty to warn concerning communicable diseases; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 88—
BY SENATOR BUFFINGTON
AN ACT
To amend and reenact R.S. 49:968(D)(2)(a) and to enact R.S. 49:968(D)(1)(c), relative to the Administrative Procedure Act; to require agencies to provide written notice to the office of state register upon submission of certain reports to the legislature; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 105—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 14:402(G), relative to contraband in correctional facilities; to require imposition of a monetary penalty for the introduction of contraband into a correctional facility; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 116—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 28:912(B)(2) and to enact R.S. 28:912(B)(1)(g) and 915(B)(8), relative to human services districts; to provide with respect to the naming of Region 4; to provide the authority for the naming of human services districts; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 118—
BY SENATOR GARY SMITH
AN ACT
To amend and reenact R.S. 22:1189, relative to the authority of the commissioner of insurance to promulgate regulations; to provide for the commissioner to promulgate regulations for independent review of benefit determinations; and to provide for related matters.
Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 120—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 6:243(B)(4) and (C), relative to state banks; to provide for assets acquired by a bank from a failed or failing bank; to increase the amount property must be valued from one hundred thousand to two hundred fifty thousand dollars before a qualified appraisal on property is annually required; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 122—
BY SENATOR WHITE
AN ACT
To amend and reenact R.S. 15:541(2)(k) and (25)(f), relative to the registration of sex offenders; to provide relative to certain definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 122 by Senator White

AMENDMENT NO. 1
On page 1, line 16, after "provisions of" delete the remainder of the line and insert "R.S. 14:812.2(C)(1), (D)(1), or (D)(2)." and delete line 17

AMENDMENT NO. 2
On page 2, at the end of line 7 after "provisions of" insert "R.S. 14:812.2(C)(1), (D)(1), or (D)(2)." and delete line 8

On motion of Senator Kostelka, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 130—
BY SENATOR CROWE
AN ACT
To enact R.S. 14:81.2(C)(1), (D)(1), or (D)(2) relative to unlawful distribution, purchase, or possession of certain substances; to create the crime of unlawful distribution, purchase, or possession of certain substances; to provide relative to certain definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 145 by Senator Mills

AMENDMENT NO. 1
On page 1, line 3, delete "(C)(21)," and insert "(C)(20), (C)(22),"

AMENDMENT NO. 2
On page 2, delete lines 1 and 2, and insert:
"(6) (2) Northwest Supports and Services Center.
(7) Leesville Residential and Employment Services."

AMENDMENT NO. 3
On page 2, delete lines 12 and 13, and insert:
"Center, Columbia Community Residential and Employment Services; Northwest Supports and Services Center, Leesville Residential and Employment Services;"

AMENDMENT NO. 4
On page 2, line 21, delete "(C)(21)," and insert "(C)(20), (C)(22),"

On motion of Senator Kostelka, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 146—
BY SENATOR LONG
AN ACT
To enact R.S. 22:1706(H)(10), relative to standards of conduct of public adjusters; to prohibit a public adjuster from acting as an appraiser on claims he or she is adjusting; and to provide for related matters.

Reported with amendments by the Committee on Insurance

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 146 by Senator Long

AMENDMENT NO. 1
On page 1, line 12, after "adjusting" insert a period "." and delete the remainder of the line

On motion of Senator Morrish, insert a period "." and delete the remainder of the line

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 148—
BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSWORTH
AN ACT
To amend and reenact R.S. 3:3408(A)(10), 3409(B) and (C), 3410(H)(3), 3411(G)(3), and 3420 and to repeal Part VII of Chapter 6 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:711 through 716, relative to agriculture commodities; to clarify provisions of the Agricultural Commodity Dealer and Warehouse Law; to provide relative to warehouse licenses; to repeal the Agriculture Commodity Marketing Law; to provide for technical corrections; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 149—
BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSWORTH
AN ACT
To amend and reenact R.S. 3:1399(A), the introductory paragraph of 1412(C), 1430.5(E), the introductory paragraph of 1430.7(A), 1431(26), 1435(3), 1439, 1440, 1441, and 1444(9), relative to the Louisiana Agricultural Liming Materials Law; to clarify the registration date for liming materials; to clarify terms relative to stop orders; to provide for technical corrections; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.
Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 150—
BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND WALSORTH
AN ACT
To amend and reenact R.S. 3:1604(A)(5), 1743(A) and (C), and 3801(C)(3) and (G), relative to changes in the membership of certain commissions within the Department of Agriculture and Forestry; to provide for the membership of the Boll Weevil Eradication Commission; to provide for the membership of the Louisiana Sweet Potato Advertising and Development Commission; to provide for the membership of the Horticulture Commission; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 151—
BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSORTH
AN ACT
To amend and reenact the introductory paragraph of R.S. 3:3243(G), 3245(C), the introductory paragraph of 3246(G), 3367(F) and 3383(B) and to enact R.S. 3:3210(C)(6) and 3365(E), relative to the Pesticide Law; to provide relative to monies in the Pesticide Fund; to authorize the Structural Pest Control Commission to issue subpoenas; to extend records retention requirements for certain entities; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 164—
BY SENATOR MARTINY
AN ACT
To amend and reenact R.S. 6:415(B), (C), (D), (F) and (G), and to enact R.S. 6:415(I), relative to banking; to provide certain restrictions and prohibit certain practices; to provide for loans, credit exposure, derivative transactions, restrictions, and rules; to provide certain definitions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 169—
BY SENATORS ALLAIN, LONG, RISER, THOMPSON AND WALSORTH
AN ACT
To amend and reenact R.S. 3:730.3(B)(1), relative to the membership of the Louisiana Strawberry Marketing Board; to decrease the membership of the board; to provide for technical corrections; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 192—
BY SENATOR ADLEY
AN ACT
To enact R.S. 37:3650, relative to professions and occupations; to provide for certain licensure of individuals with military training and experience; to provide terms, conditions, procedures and requirements; to provide for licensure by endorsement for spouses of such individuals; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 192 by Senator Adley

AMENDMENT NO. 1
On page 1, line 17, change "and" to "or"

AMENDMENT NO. 2
On page 2, delete lines 7 through 10

AMENDMENT NO. 3
On page 2, line 11, change "4)" to "3)"

AMENDMENT NO. 4
On page 2, between lines 13 and 14, insert the following:

"B. Notwithstanding any other provision of law to the contrary, a professional or occupational licensing board shall issue a license, certification, or registration to a military-trained applicant to allow the individual to lawfully practice his occupation in this state, if, upon application to a professional or occupational licensing board, the individual holds a current license, certification, or registration from another jurisdiction, and that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure, certification, or registration in this state.

AMENDMENT NO. 5
On page 2, line 14, change "B. to "C."

AMENDMENT NO. 6
On page 3, line 2, after "permit" insert a period "." and delete the remainder of the line

AMENDMENT NO. 7
On page 3, line 3, change "C. to "D."

AMENDMENT NO. 8
On page 3, line 15, change "D." to "E."

AMENDMENT NO. 9
On page 3, line 19, change "E." to "F."

AMENDMENT NO. 10
On page 3, line 22, change "F." to "G."

AMENDMENT NO. 11
On page 3, line 26, change "G." to "H."

On motion of Senator Appel, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 208—
BY SENATOR MORRISH
AN ACT
To enact R.S. 22:2171(C)(8), relative to the Louisiana Property and Casualty Commission; to provide for the addition of a representative of the Louisiana Surplus Lines Association to the commission membership; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 208 by Senator Morrish

AMENDMENT NO. 1
On page 1, delete line 3 in its entirety and at the beginning of line 4 delete "Association" and insert in lieu thereof: "to provide for the addition of representatives"
AMENDMENT NO. 2
On page 1, between lines 10 and 11, insert the following:

"(2) The Deputy Commissioner for Consumer Advocacy.

AMENDMENT NO. 4
On page 2, delete "Section 1." and insert "Section 2."

AMENDMENT NO. 5
On page 1, delete lines 12 through 14 and insert "All parish and municipal entities are hereby authorized to identify funds dedicated or used for the purpose of providing health care, and to consult with the Department of Health and Hospitals in an effort to"

AMENDMENT NO. 6
On page 2, delete lines 4 through 9.

AMENDMENT NO. 2
On page 1, line 9, after "R.S. 40:1300.351" delete "through 1300.352" and insert a comma ",

AMENDMENT NO. 3
On page 1, line 10, delete "REPORT ON"

AMENDMENT NO. 3
On page 2, delete "reports" and insert "identification"

AMENDMENT NO. 5
On page 1, delete lines 12 through 14 and insert "All parish and municipal entities are hereby authorized to identify funds received from any source other than the state, which are dedicated or used for the purpose of providing health care, and to consult with the Department of Health and Hospitals in an effort to"

AMENDMENT NO. 6
On page 2, delete lines 4 through 9.
AMENDMENT NO. 1
On page 5, line 8, change "geocode" to "geocodes"

AMENDMENT NO. 2
On page 5, line 12, after "people" delete the period (.) and insert ", and"

AMENDMENT NO. 3
On page 5, line 21, delete "transmission"

AMENDMENT NO. 4
On page 6, line 15, after "entity" insert "subject to the jurisdiction of"

AMENDMENT NO. 5
On page 7, in between lines 7 and 8, insert "(i) Type of coverage."

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 288—
BY SENATORS ALLAIN, LONG, RISER, THOMPSON AND WALS WORTH
AN ACT
To enact R.S. 3:14, relative to the authority of the commissioner of agriculture; to authorize the commissioner to employ an executive counsel and assistants; to provide relative to qualifications; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 315—
BY SENATOR AMEDEE
AN ACT
To enact R.S. 49:191(6)(a) and to repeal R.S. 49:191(4)(c), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 318—
BY SENATOR MARTINY AND REPRESENTATIVE TALBOT
AN ACT
To amend and reenact R.S. 37:701(B), relative to the Louisiana Professional Engineering and Land Surveying Board; to provide powers, duties, and jurisdiction of the Louisiana Professional Engineering and Land Surveying Board; to provide relative to naval architects and marine engineers; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 354—
BY SENATOR AMEDEE
AN ACT
To amend and reenact R.S. 49:968(B), relative to the Administrative Procedure Act; provides for electronic reporting of rules to oversight committees; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 359—
BY SENATOR MOURRISH
AN ACT
To enact R.S. 22:1295(1)(a)(v), relative to uninsured motorist coverage; to provide for selection or rejection of uninsured motorist coverage pursuant to the Louisiana Electronic Transactions Act; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 359 by Senator Morrish

AMENDMENT NO. 1
On page 1, at the end of line 3 insert "Uniform"

AMENDMENT NO. 2
On page 1, line 15, after "Uniform" insert "Electronic"

AMENDMENT NO. 3
On page 1, after line 17, insert the following: "(7) Pursuant to the Administrative Procedure Act, the commissioner shall adopt reasonable rules and regulations as are necessary or proper to carry out the purposes of this Section."

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 391—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 22:833(A)(1) and to enact R.S. 22:833(E), relative to the authorization of local taxes; to provide with respect to the exemption of Louisiana Medicaid programs from taxes imposed by a municipal or parochial corporation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Insurance. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 393—
BY SENATOR MURRAY
AN ACT
To amend and reenact Code of Civil Procedure Articles 4732 and 4735, relative to eviction of tenants and occupants; to provide relative to a motion for a new trial; to provide certain procedures, time periods, and effects; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 393 by Senator Murray

AMENDMENT NO. 1
On page 1, line 16, after "ninety days." insert "If the judgment of eviction is rendered against an unrepresented defendant appearing at trial, the court shall advise him of his right to seek a new trial and to appeal."

On motion of Senator Nevers, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 394—
BY SENATOR GARY SMITH
AN ACT
To amend and reenact the heading of R.S. 22:2005 and R.S. 22:2008(B), 2009(E)(3), 2028(D)(3), and 2036(A) and to enact R.S. 22:2005.1 and 2043.1, relative to rehabilitation and
...the authority to remove the officer, member, manager, or partner from the documents and records of the secretary of state.

**AMENDMENT NO. 3**

On page 1, line 10, before "addresses" insert the following:

"B. Pursuant to the purposes set forth in Subsection A of this Section, any electronic mail"

**AMENDMENT NO. 4**

On page 1, line 12, change "B" to "C"

On motion of Senator Amedee, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 609—**

**BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 13:477(introductory paragraph), 691(A), 1306, 1307, 1311, 1312, 1381.2, and R.S. 44:181; and to enact R.S. 13:1213.2 and 13:1336(D) and to repeal R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 621.44, 621.45, 621.46, 714.1, 714.2, 714.11, 714.12, 751.1, 751.2, 751.1 through 751.2, 841.3, 996.62 through 996.64, R.S. 44:181.5 and 181.6, Sections 6, 8, 9, 19, 22, and 31 of Act No. 621 of the 2006 Regular Session of the Legislature, as amended by Acts 635, 674, 675, 743, 792, 868, 873, 879, of the 2008 Regular Session, Act 409 of the 2009 Regular Session of the Legislature, and Act 726 of the 2010 Regular Session, relative to courts and judicial procedure; to provide relative to the civil and criminal district courts and juvenile court of the parish of Orleans; to repeal all provisions relative to the consolidation of the civil and criminal district courts of Orleans Parish into the Forty-First Judicial District Court and their respective clerks; to repeal all effective dates that would repeal provisions related to the civil and criminal district courts and the abolishment of the juvenile court of Orleans Parish; to provide for the distribution of fees collected in the Civil District Court; to provide for the salaries of the civil and criminal district court judges and certain family and juvenile court judges; to provide exclusive jurisdiction to the magistrate and criminal district court judges and commissioners to set certain bonds and release certain defendants; to direct the Louisiana State Law Institute to redesignate certain statutory provisions; and to provide for related matters.

Reported by substitute by the Committee on Judiciary A. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. — (Substitute of Senate Bill No. 609 by Senator Murray)**

**BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 13:477(introductory paragraph), 691(A), 1306, 1307, 1311, 1312, 1381.2, and R.S. 44:181; and to enact R.S. 13:1213.2 and 13:1336(D) and to repeal R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 621.44, 621.45, 621.46, 714.1, 714.2, 714.11, 714.12, 751.1, 751.2, 751.1 through 751.2, 841.3, 996.62 through 996.64, R.S. 44:181.5 and 181.6, Sections 6, 8, 9, 19, 22, and 31 of Act No. 621 of the 2006 Regular Session of the Legislature, and Section 19 of Act No. 621 of the 2006 Regular Session of the Legislature as amended by Act No. 675 and Act No. 873 of the 2008 Regular Session of the Legislature, and Act No. 340 of the 2011 Regular Session of the Legislature, relative to courts and judicial procedure; to provide relative to the civil and criminal district courts and juvenile court of the parish of Orleans; to repeal provisions relative to the consolidation of the civil and criminal district courts of Orleans Parish into the Forty-First Judicial District Court and their respective clerks; to repeal effective dates for repeals of provisions related to the civil and criminal district courts and the abolition of the juvenile court of Orleans Parish; to provide for the distribution of fees collected in the Civil District Court; to provide for the salaries of the civil and criminal district court judges and certain family and juvenile court judges; to provide exclusive jurisdiction to the magistrate and criminal district court judges and commissioners to set certain bonds and release certain defendants; to direct the Louisiana State Law Institute to redesignate certain statutory provisions; and to provide for related matters.

Reported by substitute by the Committee on Judiciary A. The bill was read by title; the committee substitute bill was read.
provide exclusive jurisdiction to the magistrate and criminal district court judges and commissioners to set certain bonds and release certain defendants; to provide relative to terms of office and elections for Orleans Parish Juvenile Court judges; to direct the Louisiana State Law Institute to reorganize and consolidate the structure of the judiciary in Orleans Parish. Many of the goals of the reorganization and consolidation have been accomplished, including the merger of the civil sheriff and the criminal sheriff into one office, and the merger of the functions of recorder of mortgages, register of conveyances, and the custodian of notarial records into the functions of the civil clerk's office. Section 621 of the 2006 Regular Session of the Legislature contained an effective date of January 1, 2009, to provide additional time for other aspects of the consolidation to take place, including the merger of the Orleans Parish Civil District Court and Orleans Parish Juvenile Court into the Forty-First Judicial District Court, and the merger of the offices of the clerk of each of those courts into one clerk's office. (B) Subsequent Acts of the legislature extended the effective date of certain aspects of the consolidation to December 31, 2014. Despite the efforts made to accomplish the consolidation and reorganization, the complexity of the issues involved prevented such a reorganization. Therefore, it is the intent of this legislature that the Forty-First Judicial District Court shall not come into existence and existing structures of the Orleans Parish judiciary system relative to the Civil District Court, Criminal District Court, and Juvenile Court prior to Act 621 of the 2006 Regular Session of the Legislature and subsequent Acts of the legislature should remain in effect. Section 2. R.S. 13:477(introductory paragraph), 691(A), 1306, 1307, 1311, 1312, and 1381.2 are hereby amended and reenacted and R.S. 13:1213.2 and 1336(D) are hereby enacted to read as follows: §691. Annual salaries of district judges; certain civil district court judges; certain criminal district court judges; and certain juvenile and family court judges A. The annual salary of each of the several district judges of judicial districts, including the civil district court judges and the criminal district court judges of the parish of Orleans; the magistrate of the criminal district court for the parish of Orleans; the judges of the juvenile court of the parish of Orleans, the parish of Caddo, the parish of East Baton Rouge, and the parish of Jefferson; and the judges of the family court of East Baton Rouge Parish, shall be seventy-five thousand dollars ($75,000) per annum. B. The judges of the Civil District Court for the Parish of Orleans, the Criminal District Court for the Parish of Orleans, and the Orleans Parish Juvenile Court judges shall be compensated as follows:§1213.2. Fees; clerk of the Civil District Court The clerk of the Civil District Court shall collect the fees set forth in R.S. 13:1213.1 and shall deposit no less than sixty percent of the amounts collected in the Clerk's Salary Fund. The remaining forty percent shall be deposited in the judicial expense fund for the Civil District Court for the Parish of Orleans. The clerk and the chief judge of the Civil District Court may at any time renegotiate the sixty percent collection fees, but at no time shall the sixty percent be reduced below fifty percent of the civil filing fees collected by the clerk. §1306. Interest on unclaimed judicial deposits; use by civil sheriff Where interest, which has accrued on any judicial deposit made by the civil sheriff of the parish of Orleans with the judicial depository of the parish of Orleans, of funds belonging to a litigant or litigants, shall not be called for or claimed for a period of ten years from date of accrual, the civil sheriff of the parish of Orleans may withdraw the accrued interest from the judicial depository, and use it for the costs and expenses of his office, in the manner provided by law for the use and disposition of other funds received by him for that purpose.
guaranteed by the federal government or any agency thereof. No deposit shall be made in any such bank in excess of the amount of the federal insurance or guaranty unless the amount deposited in excess of the federal insurance or guaranty is secured by any security authorized by law as security for the deposit of state funds. The deposits shall be credited to a special fund to be designated as the [name] sheriff's detention and prison security fee fund.

C. The [name] sheriff's fee fund shall be administered by the [name] sheriff of the parish of Orleans. Disbursements shall be made from the fund upon the signature of the [name] sheriff of the parish of Orleans. Such fund is to be expended to assist in the operation security and maintenance of the office of the [name] sheriff of the parish of Orleans.

D. When any bail bond posted in the Criminal District Court for the Parish of Orleans guaranteeing the appearance of any defendant in any case in the Criminal District Court for the Parish of Orleans has been forfeited, said the surety company under, the local agent under, or the insurance company for which said the agent is writing bail bonds and all shall be assessed costs not more than twenty-five dollars. The forfeiture of any bond referred to hereinafter shall not be set aside until the above costs have been paid, in addition to the other legal requirements of law having been met for the setting aside of the forfeiture. Costs assessed against surety companies pursuant to this section shall be collected and administered in the same manner as that set out in Subsection B of this Section.

§1594. Election; term.

The first judge for said the additional judgeship of the juvenile court of the parish of Orleans, who shall preside over the additional section of said the court, as provided herein, shall be elected in a manner herein below set forth provided that the governor shall make an interim appointment to that office to serve during December 31, 1960, and his successor shall be elected for a term of eight years commencing on January 1, 1961, at the congressional election to be held on the first Tuesday after the first Monday in November, 1960 and his successor every eight years thereafter, each serving until his successor is elected and qualified. The terms of office of the judges of the juvenile court serving in the parish of Orleans on August 1, 2012, shall be extended through December 31, 2014. Their successors shall be elected for a term of six years commencing on January 1, 2015, at the congressional election to be held on the first Tuesday after the first Monday in November, 2014, and their successors every six years thereafter.

Section 3. R.S. 44:181 is hereby amended and reenacted to read as follows:

§181. Clerk of court as recorder; duties;

A. The clerk of court shall be the parish recorder of conveyances, mortgages, and other acts, as provided by law, for and throughout the parish of Orleans.

B. For purposes of this Chapter, the term "clerk of court" shall mean the clerk of court of the Forty-First Judicial District Court; the clerk of the Forty-First Judicial District Court has been elected and takes office, the term "clerk of court" shall mean the clerk of the Civil District Court for the Parish of Orleans.

Section 4(A). R.S. 13:474.1, 477(41), 621.41 through 621.46, 714.1, 714.2, 714.4 through 715.5, 841.1, 983, 996.62 through 996.64, R.S. 44:181.5 and 181.6 are hereby repealed in their entirety.

(B)(1) Sections 6, 8, 9, 9.2, and 31 of Act No. 621 of the 2006 Regular Session of the Louisiana Legislature as amended by Act No. 873 of the 2008 Regular Session of the Legislature are hereby repealed in their entirety.

(B)(2) Notwithstanding the provisions of Act No. 621 of the 2006 Regular Session of the Legislature, Act No. 873 of the 2008 Regular Session of the Legislature, and Act No. 340 of the 2011 Regular Session of the Legislature, R.S. 13:1031 through 1147, 1211 through 1212.1, 1271 through 1312, 1334 through 1347, 1371 through 1372, 1373, 1375, 1376, 1377, 1378, 1379, 1380, 1380.1, and 1381.1 through 1400 shall not be repealed as provided for in Section 19 of Act No. 621 of the 2006 Regular Session of the Legislature and subsequent Acts, but shall remain in effect, except as otherwise provided in this Act or any other Act of this 2012 Regular Session of the Legislature, or any subsequent Acts.
Senator Riser moved to recommit the bill from the Committee on Judiciary B to the Committee on Judiciary C. Without objection, so ordered.

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

**SENATE BILL NO. 126—**

**BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
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<tbody>
<tr>
<td>Mr. President</td>
<td>Guillory</td>
</tr>
<tr>
<td>Adley</td>
<td>Heitmeier</td>
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<tr>
<td>Amedee</td>
<td>Kostelka</td>
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<tr>
<td>Broome</td>
<td>Mills</td>
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<tr>
<td>Brown</td>
<td>Morrell</td>
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<tr>
<td>Buffington</td>
<td>Murray</td>
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<tr>
<td>Chabert</td>
<td>Nevers</td>
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<tr>
<td>Dorsey-Colomb</td>
<td>Peacock</td>
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<tr>
<td>Gallot</td>
<td></td>
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</tr>
<tr>
<td>Allain</td>
<td>Crowe</td>
</tr>
<tr>
<td>Appel</td>
<td>Donahue</td>
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<tr>
<td>Cliator</td>
<td>Erdey</td>
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<tr>
<td>Cortez</td>
<td>Long</td>
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</tr>
<tr>
<td>ABSENT</td>
<td></td>
</tr>
<tr>
<td>Johns</td>
<td>LaFleur</td>
</tr>
<tr>
<td>Total - 3</td>
<td></td>
</tr>
</tbody>
</table>

The Chair declared the bill was passed and ordered it sent to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 193—**

**BY SENATOR GUILLORY**

AN ACT

To enact R.S. 47:463.155, relative to special prestige motor vehicle license plates; to provide for the creation, issuance, and design of such license plates for the Phi Beta Sigma Fraternity; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

**Floor Amendments**

Senator Guillory proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Guillory to Engrossed Senate Bill No. 193 by Senator Guillory

**AMENDMENT NO. 1**

On page 1, line 4, between "Fraternity" and the semicolon ";" insert ". Inc."

**AMENDMENT NO. 2**

On page 1, on lines 9, 12, and 16, after "Fraternity" insert ". Inc."

**AMENDMENT NO. 3**

On page 2, line 10, between "Fraternity" and the period "." insert ", to Louisiana residents"

On motion of Senator Guillory, the amendments were adopted.

The bill was read by title. Senator Guillory moved the final passage of the amended bill.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Donahue Nevers
Allain Dorsey-Colomb Peacock
Amedee Erdey Perry
Appel Gallot Riser
Broome Guillory Smith, G.
Brown Heitmeier Smith, J.
Buffington Johns Tarver
Chabert Long Thompson
Claitor Mills Walsworth
Cortez Morrish Ward
Crowe Murray White
Total - 33

NAYS

Total - 0

ABSENT

Adley LaFleur Morrell
Kostelka Martiny Peterson
Total - 6

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Guillory moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 221—

BY SENATOR ALARJO

AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for such donations to the Louisiana Association of United Ways/LA 2-1-1; and to provide for related matters.

The bill was read by title. Senator Riser moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Donahue Nevers
Adley Dorsey-Colomb Peacock
Allain Erdey Perry
Amedee Gallot Riser
Appel Guillory Smith, G.
Brown Heitmeier Smith, J.
Buffington Johns Tarver
Chabert Long Thompson
Claitor Mills Walsworth
Cortez Morrish Ward
Crowe Murray White
Donahue Nevers
Total - 36

NAYS

Total - 0

ABSENT

Adley LaFleur
Kostelka Martiny
Total - 4

The Chair declared the bill was passed and ordered it sent to the House. Senator Riser moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 396—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 34:3494(A) and (B)(3) and to repeal R.S. 34:3494(B)(9), relative to the Louisiana International Gulf Transfer and Terminal Authority; to provide for changes in the board membership; and to provide for related matters.

The bill was read by title. Senator Crowe moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Peacock
Allain Erdey Perry
Amedee Gallot Peterson
Appel Guillory Riser
Broome Heitmeier Smith, G.
Brown Johns Tarver
Buffington Long Thompson
Chabert Mills Walsworth
Claitor Morrell Ward
Cortez Morrish White
Crowe Murray
Donahue Nevers
Total - 35

NAYS

Total - 0

ABSENT

Adley LaFleur
Kostelka Martiny
Total - 4

The Chair declared the bill was passed and ordered it sent to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 546—

BY SENATOR PEACOCK

AN ACT

To enact R.S. 32:1254(O), relative to the distribution and sale of motor vehicles; to provide for licensure of dealers; to provide an exception for non-resident dealers of recreational products; and to provide for related matters.

Floor Amendments

Senator Peacock proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Engrossed Senate Bill No. 546 by Senator Peacock

AMENDMENT NO. 1

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof the following: "for licensure of dealers; to provide an exception for certain non-resident dealers of recreational products to participate at and display and promote the sales of recreational products at certain trade shows, exhibitions, fairs and festivals; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 10, delete "O. Notwithstanding" and insert in lieu thereof the following:

‘O(1) Except as provided in Paragraph (2) of this Subsection, notwithstanding"
AMENDMENT NO. 3
On page 1, lines 11 and 12, delete "offer for sale or to display" and insert the following: "display and promote."

AMENDMENT NO. 4
On page 1, between lines 15 and 16, insert the following:

"(2) No non-resident exhibitor for a particular brand shall be allowed to participate and display and promote the sales of recreational products as provided in Paragraph (1) of this Subsection unless a Louisiana recreational products dealer with the same brand whose community or territory or area of responsibility includes the location in which the show, exhibition, fair, or festival is to occur is first offered the opportunity to acquire space at the show, exhibition, fair, or festival."

On motion of Senator Peacock, the amendments were adopted.

On motion of Senator Peacock, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 557—
BY SENATORS ERDEY, ADLEY, BROWN, BUFFINGTON, HEITMEIER, NEVERS AND GARY SMITH
AN ACT
To amend and reenact R.S. 47:463.71(C), relative to the special prestige license plate for the Boy Scouts of America; to provide for an annual royalty fee and for distribution of collections; and to provide for related matters.

The bill was read by title. Senator Erdey moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Allain Gallot Perry
Amedee Guillory Peterson
Appel Heitmeier Riser
Broome Johns Smith, G.
Brown Kostelka Smith, J.
Buffington LaFleur Tarver
Chabert Long Thompson
Claitor Mills Walsworth
Cortez Morell Ward
Crowe Morish White
Donahue Murray Nevers
Dorsey-Colomb Total - 37

NAYS

Total - 0

ABSENT

Adley Martiny

Total - 2

The Chair declared the bill was passed and ordered it sent to the House. Senator Erdey moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 581—
BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES CARTER AND KLECKLEY
AN ACT
To enact Part X-A of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:407.21 through 407.25, relative to early childhood education; to provide for the creation of an early childhood care and education network; to provide for the purposes of such network and the duties and responsibilities of certain state agencies related thereto; to provide relative to early childhood education programs and standards; to provide for an accountability system for early childhood education programs; to provide relative to a quality rating system for certain day care centers; to provide for legislative findings and intent; and to provide for related matters.

Floor Amendments
Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 581 by Senator Appel

AMENDMENT NO. 1
On page 4, line 16, between "of" and "funding" insert "public"

AMENDMENT NO. 2
On page 4, line 17, change "(2)" to "(2)(a)"

AMENDMENT NO. 3
On page 4, line 19, between "Council" and "the Childcare" delete "and" and insert a comma ";" and between "Louisiana" and "for" insert "; and the nonpublic school commission appointed by the state board pursuant to R.S. 17:111"

AMENDMENT NO. 4
On page 4, delete lines 21 and 22 and insert the following:

"(b) Each reviewing entity shall submit its comments and recommendations to the state Department of Education, which shall prepare a summary report to be submitted to the state board for its consideration not"

AMENDMENT NO. 5
On page 4, at the beginning of line 24, change "(4)" to "(3)"

On motion of Senator Appel, the amendments were adopted.

Floor Amendments
Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 581 by Senator Appel

AMENDMENT NO. 1
On page 2, line 7, following "(2)" and before "early" change "Publicly funded" to "Publicly-funded"

AMENDMENT NO. 2
On page 2, line 8, following "public" and before "should" change "dollars" to "monies"

AMENDMENT NO. 3
On page 2, line 11, following "to" and before "early" change "publicly funded" to "publicly-funded"

AMENDMENT NO. 4
On page 2, line 14, following "of" and before "early" change "publicly funded" to "publicly-funded"

AMENDMENT NO. 5
On page 2, line 15, following "the" and before "they" change "dollars" to "monies"

AMENDMENT NO. 6
On page 2, line 21, following "of" change "publicly funded" to "publicly-funded"
AMENDMENT NO. 7
On page 2, line 26, following "in" and before "early" change "publicly funded" to "publicly-funded".

AMENDMENT NO. 8
On page 2, line 27, following "(7)" and before "early" change "publicly funded" to "publicly-funded".

AMENDMENT NO. 9
On page 2, line 28, following "dollars" to "monies".

AMENDMENT NO. 10
On page 3, line 8, following "state's" and before "early" change "publicly funded" to "publicly-funded".

AMENDMENT NO. 11
On page 3, line 27, following "for" and before "and" change "three" to "three -".

AMENDMENT NO. 12
On page 3, line 28, following "in" and before "early" change "publicly funded" to "publicly-funded".

AMENDMENT NO. 13
On page 3, line 29, following "for" change "publicly" to "publicly -".

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Peacock proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Engrossed Senate Bill No. 581 by Senator Appel

AMENDMENT NO. 1
On page 4, line 1, change "includes" to "does not include".

Senator Peacock moved the adoption of the amendments.

Senator Appel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Dorsey-Colomb
Peacock
Perry
Adley
Erdy
Peter
Allain
Gallot
Peterson
Amedee
Guillory
Riser
Appel
Heitmeier
Smith, G.
Broome
Johns
Smith, J.
Brown
Kostelka
Tarver
Buffington
Long
Thompson
Chabert
Mills
Walsworth
Claitor
Morrel
Ward
Cortez
Morris
White
Crowe
Murray

Total - 37

NAYS

Donahue
Murray

Total - 0

ABSENT

LaFleur
Martiny

Total - 2

The Chair declared the amendments were rejected.

The bill was read by title. Senator Appel moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Dorsey-Colomb
Peacock
Adley
Erdy
Peterson
Allain
Gallot
Riser
Amedee
Guillory
Smith, G.
Appel
Heitmeier
Smith, J.
Broome
Johns
Tarver
Buffington
Kostelka
Thompson
Chabert
Mills
Walsworth
Claitor
Morrel
Ward
Cortez
Morris
White
Crowe
Murray

Total - 37

NAYS

Donahue

Total - 0

ABSENT

LaFleur
Martiny

Total - 2

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Appel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 603—

BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES CARTER AND KLECKLEY

AN ACT

To amend and reenact R.S. 17:54(B)(1)(b)(i) and (iii), 81(A), and (P)(1), 81.4, 229, and 414.1, 441, 442, 443, 444(B)(1), to enact R.S. 17:418 and 532(C), and to repeal R.S. 17:44, 45, 81(I), 154.2, 235.1(E), 419, 419.1, 420, 421, 421.1, 421.2, 421.3, 421.4, 422.1, 422.2, 422.3, 422.4, 422.5, 423.1, 444(A) and (B)(2) and (3), 446, 461 through 464, and 1207, relative to elementary and secondary education; to provide with respect to teachers and other school employees; to provide with respect to local school superintendents, their employment, and their duties and responsibilities; to provide relative to local school boards and their functions and powers; to provide relative to school personnel decisions; to provide relative to school board reduction in force policies; to provide with respect to the salaries and compensation of teachers and other non-tenured teachers; to provide for related matters.

On motion of Senator Appel, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 610—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:120.37(A), (C), and (D), relative to the Department of Revenue; to provide for distribution dates for donations from individual state income tax returns to donees; and to provide for related matters.

Floor Amendments

Senator Riser proposed the following amendments.
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Engrossed Senate Bill No. 610 by Senator Riser

AMENDMENT NO. 1
On page 2, at the end of line 14, add “Subtitle II of”

On motion of Senator Riser, the amendments were adopted.

The bill was read by title. Senator Riser moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Adley

Allain

Appel

Browne

Buffington

Chabert

Claitor

Cortez

Crowe

Total - 36

NAYS

Total - 0

ABSENT

LaFleur

Morrell

Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Riser moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Thompson asked for and obtained a suspension of the rules to revert to the Morning Hour.

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR JOHNS
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Lake Charles attorney, Benjamin W. Mount, and to commend a life well spent in service to his community and to note the proud legacy he leaves to the state of Louisiana.

The resolution was read by title and placed on the Calendar for a second reading.

Privilege Report of the Committee on Senate and Governmental Affairs

SENATE FLOOR AMENDMENTS

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATORS ALARIO, ADLEY, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHAU, DORSEY-COLOMB, ERDEY, GALLOT, GUILLOY, HITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE
A CONCURRENT RESOLUTION
To commend and congratulate J. C. "Sonny" Gilbert, distinguished legislator, farmer, and businessman, on the occasion of his ninetieth birthday and to honor and celebrate his lifetime of outstanding contributions to the state of Louisiana.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNER HOUSE CONCURRENT RESOLUTIONS

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE BARRAS
A CONCURRENT RESOLUTION
To commemorate the eightieth anniversary of the dedication of the Louisiana State Capitol and to recognize it as a great place to visit.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVES SMITH, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BRONSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CAMPOVEDA, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLR, GREENE, GUILLOIR, HARRIS, HARRISON, HAYARD, HALLEY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEVAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSO, MACK, MILLER, MONTOUCE , MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHENXNAYDER, STEAL, SHADY, SHADOIN, SIMON, ST. GERMAIN, TALBOT, THIBAULT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT
A CONCURRENT RESOLUTION
To commend Lafayette upon being named the Tastiest Town in the South by Southern Living magazine.

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATORS ALARIO, ADLEY, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHAU, DORSEY-COLOMB, ERDEY, GALLOT, GUILLOY, HITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE
A CONCURRENT RESOLUTION
To commend and congratulate J. C. "Sonny" Gilbert, distinguished legislator, farmer, and businessman, on the occasion of his ninetieth birthday and to honor and celebrate his lifetime of outstanding contributions to the state of Louisiana.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNER HOUSE CONCURRENT RESOLUTIONS

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE BARRAS
A CONCURRENT RESOLUTION
To commend Don de Mahy upon being named a National Merit Finalist.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVES SMITH, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BRONSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CAMPOVEDA, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLR, GREENE, GUILLOIR, HARRIS, HARRISON, HAYARD, HALLEY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEVAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSO, MACK, MILLER, MONTOUCE , MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHENXNAYDER, STEAL, SHADY, SHADOIN, SIMON, ST. GERMAIN, TALBOT, THIBAULT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT
A CONCURRENT RESOLUTION
To commend Lafayette upon being named the Tastiest Town in the South by Southern Living magazine.
and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Dorsey-Colomb</td>
</tr>
<tr>
<td>Adley</td>
<td>Erdey</td>
</tr>
<tr>
<td>Allain</td>
<td>Gallot</td>
</tr>
<tr>
<td>Amedee</td>
<td>Guillory</td>
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<tr>
<td>Appel</td>
<td>Heitmeier</td>
</tr>
<tr>
<td>Broome</td>
<td>Johns</td>
</tr>
<tr>
<td>Brown</td>
<td>Kostelka</td>
</tr>
<tr>
<td>Buffington</td>
<td>LaFleur</td>
</tr>
<tr>
<td>Chabert</td>
<td>Long</td>
</tr>
<tr>
<td>Claitor</td>
<td>Mills</td>
</tr>
<tr>
<td>Cortez</td>
<td>Morrell</td>
</tr>
<tr>
<td>Crowe</td>
<td>Morrish</td>
</tr>
<tr>
<td>Donahue</td>
<td>Murray</td>
</tr>
</tbody>
</table>

Total - 38

ABSENT

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martiny</td>
</tr>
</tbody>
</table>

Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Martiny 1 Day

Announcements

The following committee meetings for March 26, 2012, were announced:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Time</th>
<th>Room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance</td>
<td>TBA</td>
<td>Room A</td>
</tr>
<tr>
<td>Revenue and Fiscal Affairs</td>
<td>TBA</td>
<td>Hainkel Room</td>
</tr>
<tr>
<td>Retirement</td>
<td>TBA</td>
<td>Room E</td>
</tr>
</tbody>
</table>

Adjournment

On motion of Senator Thompson, at 11:25 o'clock A.M. the Senate adjourned until Monday, March 26, 2012, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, March 26, 2012.